



**WINSTEAD**

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Direct dial: 214.745.5745  
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August 24, 2020

**VIA E-MAIL & CERTIFIED MAIL RETURN RECEIPT REQUESTED**  
**(Article No. 9314 8699 0430 0074 3435 88)**

Richard M. Abernathy, Esq.  
City of Weston  
Abernathy, Roeder, Boyd & Hullett P.C.  
1700 Redbud Blvd., #300  
McKinney TX 75069

Re: December 13, 2005 City of Weston Development Agreement ("Development Agreement")

Dear Richard:

As we have discussed, title to the approximate 338 acre tract described in the attached legal description ("Assigned Property") has been conveyed to Honey Creek Venetian, LLC ("Venetian"). Pursuant to Section 10.04 of the Development Agreement Honey Creek Partners, LP, and Westin Land, Ltd., as "Owner" has assigned all of their right, title and interest in the Development Agreement to the Assigned Property to Honey Creek, LLC ("Venetian"). A copy of the Partial Assignment of Development Agreement and Assumption of Rights Under Development Agreement ("Assignment") are attached. Each party to the Development Agreement has been provided a copy of the executed Assignment. As a result, Venetian is now a party to the Development Agreement in accordance with Section 10.04.

We request that an item be included on the next Weston City Council meeting for the council to acknowledge receipt of the Assignment. If you have any questions regarding this matter please let me know.

Sincerely,

Arthur J. Anderson

AJA/vb

Enclosures

cc: Jim Marischen, Mayor, City of Weston, 301 Main Street, Weston, TX 75097  
Via Certified Mail Return Receipt Requested (Article No. 9314 8699 0430 0074 3469 09)

## PARTIAL ASSIGNMENT OF DEVELOPMENT AGREEMENT

**THIS PARTIAL ASSIGNMENT OF DEVELOPMENT AGREEMENT** (this "Assignment") is made as of August 13, 2020, by and among **HONEY CREEK PARTNERS, L.P.**, a Texas limited partnership ("Honey Creek") and **WESTIN-LAND, LTD.**, a Texas limited partnership ("Weston", Honey Creek and Weston are collectively referred to herein as "Assignor"), and **HONEYCREEK VENETIAN, LLC**, a Wyoming limited liability company ("Assignee"), with an address of 2101 Cedar Springs Road, Suite 700, Dallas, Texas 75201.

### WITNESSETH:

A. The City of Weston, Texas, and Assignor entered into that certain Development Agreement dated effective as of December 13, 2005, as amended (the "Agreement"), covering certain real property described therein.

B. Assignee is acquiring (i) all of the property owned by Weston, and (ii) a portion of the property owned by Honey Creek, all of which are subject to the Agreement.

C. Assignor desires to assign to Assignee those rights of Assignor in the Agreement, and the rights and obligations of the Assignor under and pursuant to the Agreement, only related to the property legally described on Exhibit A attached hereto and made a part hereof for all purposes (the "Property"), which is being acquired by Assignee, and Assignee desires to acquire the same from Assignor, subject to the terms, conditions and limitations herein, all of such rights that are being assigned and assumed being referred to herein as the "Assigned Rights".

D. Defined or capitalized terms that are used herein but are not defined specifically herein will bear the same meaning as are attributed to such capitalized words in the Agreement.

NOW, THEREFORE, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee do hereby agree as follows:

1. Assignment. Assignor has ASSIGNED, TRANSFERRED AND CONVEYED and by these premises does hereby ASSIGN, TRANSFER AND CONVEY to Assignee all of Assignor's right, title and interest in, to and under the Assigned Rights under Agreement with respect to the Property. Honey Creek retains all of its right, title and interest in and to the Agreement with respect to the balance of the property owned by Honey Creek (the "Balance of Honey Creek Property").

2. Assumption. Assignee, by its acceptance hereof, hereby: (a) agrees to all terms and conditions of the Agreement and covenants and agrees to assume and perform all duties and obligations to be performed and/or discharged by Assignor under the Agreement relative to the Assigned Rights; (b) agrees to develop the Property in compliance with the requirements of the Agreement related to the Assigned Rights; (c) understands that obligations under the Agreement that apply to the Balance of Honey Creek Property, are not assigned to or assumed by Assignee, except as otherwise provided by separate documents executed by the parties hereto.

3. Entire Agreement. Except with respect to any other documents executed in connection with the acquisition of the Property by Assignee, this Assignment constitutes the entire agreement and understanding between the parties and supersedes all prior agreements and understandings, if any, concerning the subject matter hereof.

4. Binding Effect. All of the terms, provisions, covenants and conditions set forth herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

5. Headings. The headings and captions in this Assignment are for convenience only, and shall not control or affect the meaning or construction of any provision of this Assignment.

6. Counterparts and Electronic Signatures. Electronic signatures appearing hereon shall be deemed an original, and this Assignment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall be a complete executed document for all purposes.

[SIGNATURE PAGES FOLLOW]

**ASSIGNOR:**

**HONEY CREEK PARTNERS, L.P.,**  
a Texas limited partnership


By: Honey Creek Partners GP, Inc.,  
a Texas corporation, its general partner

By:   
Jon Bayless, President

**WESTIN-LAND LTD.,**  
a Texas limited partnership

By: Land Advisors, Ltd.,  
a Texas limited partnership  
Its General Partner

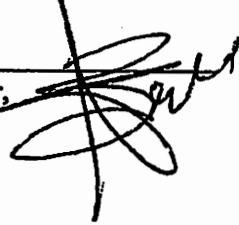
By: Land Advisors Management, L.L.C.,  
a Texas limited liability company  
Its Sole General Partner

By:   
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ASSIGNEE:**

**HONEYCREEK VENETIAN, LLC,**  
a Wyoming limited liability company

By: \_\_\_\_\_  
Armen Afzalipour,  
Manager

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke, positioned over the signature line.

**EXHIBIT "A"**

**TRACT I:**

BEING that parcel of land located in the City of Weston, Collin County, Texas, being a part of the James Wilson Survey, Abstract Number 963, being a part of that called 41.3207 acre tract of land described in a Special Warranty Deed to Honey Creek Partners, L.P., as recorded in County Clerk's Document Number 20060622000861180, Deed Records Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "JBI" set in the north line of said 41.3207 acre tract of land, said point being at the southwest corner of that called 21.960 acre tract of land described in a Warranty Deed with Vendor's Lean to Norman Jack Gregory and Patricia Adeline Gregory recorded in County Clerk's Document Number 20140915000994650, Real Property Records Collin County, Texas and said point being at the intersection of the east right-of-way line of Farm-to-Market Highway No. 543 (a 80' wide right-of-way) with the approximate centerline of Rigsby Lane (an unrecorded right-of-way);

THENCE North 89 degrees 16 minutes 12 seconds East, 570.15 feet along the centerline of Rigsby Lane to a five-eighths inch iron rod found at the northeast corner of said 41.3207 acre tract of land;

THENCE along the east line of said 41.3207 acre tract of land as follows:

South 00 degrees 48 minutes 00 seconds East, 210.02 feet to a one-half inch iron rod with cap stamped "GEER" found for corner;

North 89 degrees 10 minutes 37 seconds East, 254.59 feet to a one-half inch iron rod with cap stamped "GEER" found at the most easterly northeast corner of said 41.3207 acre tract of land, said point being in the west line of a called 17.231 acre tract of land described in a Special Warranty Deed to Linne Shields, wife, and Thomas Shields, Husband, recorded in County Clerk's Document Number 20170316000339020, Deed Records Collin County, Texas;

South 00 degrees 59 minutes 06 seconds East, 324.15 feet to a one-half inch iron rod found at the southwest corner of said 17.231 acre tract of land;

South 01 degrees 49 minutes 26 seconds East, 1,902.76 feet to a wood fence corner post found at the southeast corner of said 41.3207 acre tract of land, said point being the most westerly southwest corner of a called 76.90 acre tract of land described in a Warranty Deed to Osburn Living Trust, as recorded in County Clerk's Document Number 94-0068339, Deed Records Collin County, Texas and said point being in the north line of that called 284.8510 acre tract of land described in a Limited Warranty Deed to Westin-Land, Ltd. recorded in Volume 5984, Page 2819, Deed Records Collin County, Texas;

THENCE South 88 degrees 57 minutes 29 seconds West, 867.89 feet along the south line of said 41.3207 acre tract of land to a one-half inch iron rod with yellow cap stamped "JBI" set at the northwest corner of said 284.8510 acre tract of land and said point being in the east line of Farm-to-Market Highway No. 543;

THENCE North 00 degrees 39 minutes 59 seconds West, 790.32 feet along the east right-of-way line of Farm-To-Market Road 543 to a concrete highway monument found for corner;

THENCE North 00 degrees 34 minutes 59 seconds West, 271.86 feet along the east line of Farm-To-Market Road 543 to a one-half inch iron rod with cap stamped "GEER" found in the westerly line of said 41.3207 acre tract of land;

THENCE along the westerly line of said 41.3207 acre tract of land as follows:

North 88 degrees 46 minutes 06 seconds East, 417.86 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 00 degrees 32 minutes 56 seconds West, 648.70 feet to a one-half inch iron rod with cap stamped "GEER" found for corner;

South 88 degrees 39 minutes 17 seconds West, 418.26 feet to a one-half inch iron rod with cap stamped "GEER" found in the east line of Farm-To-Market Road 543;

THENCE North 00 degrees 34 minutes 59 seconds West, 730.86 feet along the east line of Farm-To-Market Road 543 to the POINT OF BEGINNING and containing 1,732,131 square feet or 39.764 acres of land.

## TRACT II:

BEING that parcel of land located in the City of Weston, Collin County, Texas, being a part of the James Wilson Survey, Abstract Number 963, being all of that called 284.8510 acre tract of land described in a Limited Warranty Deed to Westin-Land, Ltd., as recorded in Volume 5984, Page 2819, Deed Records Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "5686" found at the southeast corner of said 284.8510 acre tract of land, said point being the northeast corner of a tract of land described in a Deed to the County of Collin, as recorded in Volume 5101, Page 147, Deed Records Collin County, Texas, said point being in the west line of a called 45.517 acre tract of land described in a Special Warranty Deed to Laurence Paul Whitaker, as recorded in Document Number 20060912001311170, Deed Records Collin County, Texas and said point being in the north right-of-way line County Road 206 (a 90 foot right-of-way);

THENCE South 89 degrees 35 minutes 08 seconds West, 3,861.78 feet along the south line of said 284.8510 acre tract of land to a one-half inch iron rod with yellow cap stamped "JBI" set at the southwest corner of said 284.8510 acre tract of land, said point being the northwest corner of a tract of land described in a Deed to the County of Collin, as recorded in Volume 5101, Page 152, Deed Records Collin County, Texas and said point being in the east right-of-way line of Farm-To-Market Road 543 (an 80 foot right-of-way);

THENCE North 00 degrees 39 minutes 59 seconds West, 2,869.01 feet along the east line of Farm-To-Market Road 543 to a one-half inch iron rod with yellow cap stamped "JBI" set at the

northwest corner of said 284.8510 acre tract of land, said point being in the south line of that called 41.3207 acre tract of land described in a Special Warranty Deed to Honey Creek Partners, L.P. recorded in County Clerk's Document Number 20060622000861180, Real Property Records Collin County, Texas;

THENCE North 88 degrees 57 minutes 29 seconds East, at 867.89 passing a wooden fence corner post found at the southeast corner of said 41.3207 acre tract of land and said point being the southwest corner of that called 76.90 acre tract of land described in deed to Osburn Living Trust recorded in County Clerk's Document Number 94-0068339, Real Property Records Collin County, Texas, in all a total distance of 1,119.47 feet to a wooden fence corner post found in the south line of said 76.90 acre tract of land;

THENCE along the north line of said 284.8510 acre tract of land and along the south line of said 76.90 acre tract of land as follows:

South 01 degrees 40 minutes 15 seconds East, 258.26 feet to a one-half inch iron rod with yellow cap stamped "JBP" for corner;  
North 89 degrees 01 minutes 40 seconds East, 572.63 feet to a point for corner;  
North 40 degrees 31 minutes 58 seconds East, 89.76 feet to a point for corner;  
North 59 degrees 01 minutes 58 seconds East, 88.44 feet to a point for corner;  
North 36 degrees 31 minutes 58 seconds East, 201.30 feet to a point for corner;  
North 50 degrees 31 minutes 58 seconds East, 354.42 feet to a point for corner;  
North 71 degrees 01 minutes 58 seconds East, 182.82 feet to a point for corner;  
North 45 degrees 16 minutes 58 seconds East, 290.40 feet to a point for corner;  
North 59 degrees 31 minutes 58 seconds East, 238.92 feet to a point for corner;  
North 72 degrees 01 minutes 58 seconds East, 223.74 feet to a point for corner;  
North 35 degrees 31 minutes 58 seconds East, 215.16 feet to a point for corner;  
North 16 degrees 01 minutes 58 seconds East, 364.98 feet to a point for corner;  
North 40 degrees 16 minutes 07 seconds East, 54.83 feet to a point in the south line of a called 40.212 acre tract of land described in a General Warranty Deed to Thomas E. Shields and Linne H. Shields, as recorded in Volume 4697, Page 363, Deed Records Collin County, Texas;

THENCE along the north line of said 284.8510 acre tract of land and along the south line of said 40.212 acre tract of land as follows:

North 25 degrees 07 minutes 03 seconds East, 80.50 feet to a point for corner;  
North 55 degrees 43 minutes 35 seconds East, 133.74 feet to a point for corner;  
South 58 degrees 23 minutes 18 seconds East, 43.90 feet to a point for corner;  
South 53 degrees 42 minutes 36 seconds West, 21.53 feet to a point for corner;  
South 14 degrees 08 minutes 01 seconds East, 63.29 feet to a point for corner;  
North 81 degrees 22 minutes 21 seconds East, 90.11 feet to a point for corner;  
North 57 degrees 06 minutes 24 seconds East, 38.24 feet to a point for corner;  
South 73 degrees 50 minutes 10 seconds East, 41.62 feet to a point for corner;  
North 56 degrees 23 minutes 39 seconds East, 31.88 feet to a point for corner;  
North 17 degrees 06 minutes 19 seconds East, 51.36 feet to a point for corner;



South 58 degrees 31 minutes 08 seconds East, 41.35 feet to a point for corner;  
North 85 degrees 04 minutes 33 seconds East, 26.92 feet to a point for corner;  
North 45 degrees 11 minutes 27 seconds East, 42.44 feet to a point for corner;  
North 09 degrees 56 minutes 10 seconds East, 33.25 feet to a point for corner;  
North 64 degrees 20 minutes 36 seconds East, 56.20 feet to a point for corner;  
North 48 degrees 16 minutes 51 seconds East, 78.69 feet to a point for corner;  
South 88 degrees 18 minutes 52 seconds East, 26.07 feet to a point for corner;  
South 31 degrees 10 minutes 05 seconds East, 83.83 feet to a point for corner;  
South 43 degrees 44 minutes 08 seconds East, 33.04 feet to a one-half inch iron rod found at the northeast corner of said 284.8510 acre tract of land, said point being the southeast corner of said 40.212 acre tract of land and said point being in the west line of a called 18.77 acre tract of land described in a Warranty Deed with Vendor's Lien to Edward A. Town and Sharon Gunn-Town, as recorded in Volume 4007, Page 1224, Deed Records Collin County, Texas;

THENCE South 00 degrees 29 minutes 48 seconds East, 186.06 feet along the east line of said 284.8510 acre tract of land to a one-half inch iron rod found at the southwest corner of said corner of said 18.77 acre tract of land, said point being the northwest corner of a called 78.06 acre tract of land described in a Contract of Sale and Purchase to Benjamin F. Giles, Jr., as recorded in Volume 1250, Page 684, Deed Records Collin County, Texas;

THENCE along the east line of said 284.8510 acre tract of land and along the west line of said 78.06 acre tract of land as follows:

South 20 degrees 09 minutes 53 seconds West, 236.55 feet to a point for corner;  
South 32 degrees 39 minutes 53 seconds West, 322.00 feet to a point for corner;  
South 00 degrees 54 minutes 53 seconds West, 967.00 feet to a point for corner;  
South 10 degrees 50 minutes 07 seconds East, 524.00 feet to a point for corner;  
South 80 degrees 20 minutes 07 seconds East, 224.50 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;  
South 00 degrees 03 minutes 12 seconds East, 344.98 feet to a one-half inch iron rod found at the southwest corner of said 78.06 acre tract of land, said point being at the northwest corner of said 45.517 acre tract of land and said point being at the northwest corner of that called 10.151 acre tract of land described in deed to Juan F. Saldivar and Tisha Louise Saldivar recorded in County Clerk's Document Number 20180808000993700, Real Property Records Collin County, Texas;

THENCE along the east line of said 284.8510 acre tract of land and along the west line of said 45.517 acre tract of land as follows:

South 01 degrees 33 minutes 53 seconds West, 876.99 feet to a one-half inch iron rod with yellow cap stamped "5686" found for corner;  
South 89 degrees 31 minutes 59 seconds West, 54.37 feet to a wood fence corner post found for corner;  
South 03 degrees 01 minutes 40 seconds West, 880.14 feet to the POINT OF BEGINNING and containing 12,403,363 square feet or 284.742 acres of land.

## ASSUMPTION OF RIGHTS UNDER DEVELOPMENT AGREEMENT

**THIS ASSUMPTION OF RIGHTS UNDER DEVELOPMENT AGREEMENT** (this "Assignment") is made as of August 12, 2020, by and among **HONEY CREEK PARTNERS, L.P.**, a Texas limited partnership ("Honey Creek") and **WESTIN-LAND, LTD.**, a Texas limited partnership ("Weston", Honey Creek and Weston are collectively referred to herein as "Assignor"), and **HONEYCREEK VENETIAN, LLC**, a Wyoming limited liability company ("Assignee").

### WITNESSETH:

A. The City of Weston, Texas, and Assignor entered into that certain Development Agreement dated effective as of December 13, 2005, as amended (the "Agreement"), covering certain real property described therein.

B. Assignee is acquiring (i) all of the property owned by Weston, and (ii) a portion of the property owned by Honey Creek, all of which are subject to the Agreement.

C. By that certain Partial Assignment of Development Agreement, Assignor is assigning to Assignee those rights of Assignor in the Agreement, and the rights and obligations of the Assignor under and pursuant to the Agreement, only related to the property legally described on Exhibit A attached hereto and made a part hereof for all purposes, which is being acquired by Assignee, and Assignee is acquiring the same from Assignor, subject to the terms, conditions and limitations therein, all of such rights that are being assigned and assumed being referred to herein as the "Assigned Rights".

D. **D.R. HORTON – TEXAS, LTD.**, a Texas limited partnership ("Horton") was the prospective purchaser of all or part of the Property and a party to the Agreement pursuant to that certain Sixth Amendment to Development Agreement dated effective as of January 8, 2019, and that certain Seventh Amendment to Development Agreement dated effective as of November 14, 2019

E. In addition to the assumption of the Assigned Rights, Assignee desires to assume the same rights, interests and obligations as Horton's in, to and under the Agreement in connection with the Property, upon the terms and conditions hereinafter provided, in the event Assignee purchases all or part of the Property.

D. Defined or capitalized terms that are used herein but are not defined specifically herein will bear the same meaning as are attributed to such capitalized words in the Agreement.

NOW, THEREFORE, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee do hereby agree as follows:

1. Assumption. Assignee hereby assumes the rights, interests, liabilities, obligations, duties and responsibilities of Horton in the event Assignee purchases all or part of

the Property with respect to the terms and conditions of the Agreement, including but not limited to providing the sanitary sewer service to downtown Weston, Texas.

2. Entire Agreement. Except with respect to any other documents executed in connection with the acquisition of the Property by Assignee, this Assignment constitutes the entire agreement and understanding between the parties and supersedes all prior agreements and understandings, if any, concerning the subject matter hereof.

3. Binding Effect. All of the terms, provisions, covenants and conditions set forth herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

4. Headings. The headings and captions in this Assignment are for convenience only, and shall not control or affect the meaning or construction of any provision of this Assignment.

5. Counterparts and Electronic Signatures. Electronic signatures appearing hereon shall be deemed an original, and this Assignment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall be a complete executed document for all purposes.

[SIGNATURE PAGES FOLLOW]

**ASSIGNOR:**

**HONEY CREEK PARTNERS, L.P.,**  
a Texas limited partnership


By: Honey Creek Partners GP, Inc.,  
a Texas corporation, its general partner

By:   
Jon Bayless, President

**WESTIN-LAND LTD.,**  
a Texas limited partnership

By: Land Advisors, Ltd.,  
a Texas limited partnership  
Its General Partner

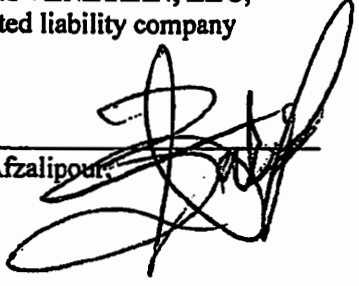
By: Land Advisors Management, L.L.C.,  
a Texas limited liability company  
Its Sole General Partner

By:   
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ASSIGNEE:**

**HONEYCREEK VENETIAN, LLC,**  
a Wyoming limited liability company

By: \_\_\_\_\_  
Armen Afzalipour,  
Manager



**EXHIBIT "A"**

**TRACT I:**

BEING that parcel of land located in the City of Weston, Collin County, Texas, being a part of the James Wilson Survey, Abstract Number 963, being a part of that called 41.3207 acre tract of land described in a Special Warranty Deed to Honey Creek Partners, L.P., as recorded in County Clerk's Document Number 20060622000861180, Deed Records Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "JBI" set in the north line of said 41.3207 acre tract of land, said point being at the southwest corner of that called 21.960 acre tract of land described in a Warranty Deed with Vendor's Lean to Norman Jack Gregory and Patricia Adeline Gregory recorded in County Clerk's Document Number 20140915000994650, Real Property Records Collin County, Texas and said point being at the intersection of the east right-of-way line of Farm-to-Market Highway No. 543 (a 80' wide right-of-way) with the approximate centerline of Rigsby Lane (an unrecorded right-of-way);

THENCE North 89 degrees 16 minutes 12 seconds East, 570.15 feet along the centerline of Rigsby Lane to a five-eighths inch iron rod found at the northeast corner of said 41.3207 acre tract of land;

THENCE along the east line of said 41.3207 acre tract of land as follows:

South 00 degrees 48 minutes 00 seconds East, 210.02 feet to a one-half inch iron rod with cap stamped "GEER" found for corner;

North 89 degrees 10 minutes 37 seconds East, 254.59 feet to a one-half inch iron rod with cap stamped "GEER" found at the most easterly northeast corner of said 41.3207 acre tract of land, said point being in the west line of a called 17.231 acre tract of land described in a Special Warranty Deed to Linne Shields, wife, and Thomas Shields, Husband, recorded in County Clerk's Document Number 20170316000339020, Deed Records Collin County, Texas;

South 00 degrees 59 minutes 06 seconds East, 324.15 feet to a one-half inch iron rod found at the southwest corner of said 17.231 acre tract of land;

South 01 degrees 49 minutes 26 seconds East, 1,902.76 feet to a wood fence corner post found at the southeast corner of said 41.3207 acre tract of land, said point being the most westerly southwest corner of a called 76.90 acre tract of land described in a Warranty Deed to Osburn Living Trust, as recorded in County Clerk's Document Number 94-0068339, Deed Records Collin County, Texas and said point being in the north line of that called 284.8510 acre tract of land described in a Limited Warranty Deed to Westin-Land, Ltd. recorded in Volume 5984, Page 2819, Deed Records Collin County, Texas;

THENCE South 88 degrees 57 minutes 29 seconds West, 867.89 feet along the south line of said 41.3207 acre tract of land to a one-half inch iron rod with yellow cap stamped "JBI" set at the northwest corner of said 284.8510 acre tract of land and said point being in the east line of Farm-to-Market Highway No. 543;

THENCE North 00 degrees 39 minutes 59 seconds West, 790.32 feet along the east right-of-way line of Farm-To-Market Road 543 to a concrete highway monument found for corner;

THENCE North 00 degrees 34 minutes 59 seconds West, 271.86 feet along the east line of Farm-To-Market Road 543 to a one-half inch iron rod with cap stamped "GEER" found in the westerly line of said 41.3207 acre tract of land;

THENCE along the westerly line of said 41.3207 acre tract of land as follows:

North 88 degrees 46 minutes 06 seconds East, 417.86 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 00 degrees 32 minutes 56 seconds West, 648.70 feet to a one-half inch iron rod with cap stamped "GEER" found for corner;

South 88 degrees 39 minutes 17 seconds West, 418.26 feet to a one-half inch iron rod with cap stamped "GEER" found in the east line of Farm-To-Market Road 543;

THENCE North 00 degrees 34 minutes 59 seconds West, 730.86 feet along the east line of Farm-To-Market Road 543 to the POINT OF BEGINNING and containing 1,732,131 square feet or 39.764 acres of land.

## TRACT II:

BEING that parcel of land located in the City of Weston, Collin County, Texas, being a part of the James Wilson Survey, Abstract Number 963, being all of that called 284.8510 acre tract of land described in a Limited Warranty Deed to Westin-Land, Ltd., as recorded in Volume 5984, Page 2819, Deed Records Collin County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with yellow cap stamped "5686" found at the southeast corner of said 284.8510 acre tract of land, said point being the northeast corner of a tract of land described in a Deed to the County of Collin, as recorded in Volume 5101, Page 147, Deed Records Collin County, Texas, said point being in the west line of a called 45.517 acre tract of land described in a Special Warranty Deed to Laurence Paul Whitaker, as recorded in Document Number 20060912001311170, Deed Records Collin County, Texas and said point being in the north right-of-way line County Road 206 (a 90 foot right-of-way);

THENCE South 89 degrees 35 minutes 08 seconds West, 3,861.78 feet along the south line of said 284.8510 acre tract of land to a one-half inch iron rod with yellow cap stamped "JBI" set at the southwest corner of said 284.8510 acre tract of land, said point being the northwest corner of a tract of land described in a Deed to the County of Collin, as recorded in Volume 5101, Page 152, Deed Records Collin County, Texas and said point being in the east right-of-way line of Farm-To-Market Road 543 (an 80 foot right-of-way);

THENCE North 00 degrees 39 minutes 59 seconds West, 2,869.01 feet along the east line of Farm-To-Market Road 543 to a one-half inch iron rod with yellow cap stamped "JBI" set at the

northwest corner of said 284.8510 acre tract of land, said point being in the south line of that called 41.3207 acre tract of land described in a Special Warranty Deed to Honey Creek Partners, L.P. recorded in County Clerk's Document Number 20060622000861180, Real Property Records Collin County, Texas;

THENCE North 88 degrees 57 minutes 29 seconds East, at 867.89 passing a wooden fence corner post found at the southeast corner of said 41.3207 acre tract of land and said point being the southwest corner of that called 76.90 acre tract of land described in deed to Osburn Living Trust recorded in County Clerk's Document Number 94-0068339, Real Property Records Collin County, Texas, in all a total distance of 1,119.47 feet to a wooden fence corner post found in the south line of said 76.90 acre tract of land;

THENCE along the north line of said 284.8510 acre tract of land and along the south line of said 76.90 acre tract of land as follows:

South 01 degrees 40 minutes 15 seconds East, 258.26 feet to a one-half inch iron rod with yellow cap stamped "JBI" for corner;  
North 89 degrees 01 minutes 40 seconds East, 572.63 feet to a point for corner;  
North 40 degrees 31 minutes 58 seconds East, 89.76 feet to a point for corner;  
North 59 degrees 01 minutes 58 seconds East, 88.44 feet to a point for corner;  
North 36 degrees 31 minutes 58 seconds East, 201.30 feet to a point for corner;  
North 50 degrees 31 minutes 58 seconds East, 354.42 feet to a point for corner;  
North 71 degrees 01 minutes 58 seconds East, 182.82 feet to a point for corner;  
North 45 degrees 16 minutes 58 seconds East, 290.40 feet to a point for corner;  
North 59 degrees 31 minutes 58 seconds East, 238.92 feet to a point for corner;  
North 72 degrees 01 minutes 58 seconds East, 223.74 feet to a point for corner;  
North 35 degrees 31 minutes 58 seconds East, 215.16 feet to a point for corner;  
North 16 degrees 01 minutes 58 seconds East, 364.98 feet to a point for corner;  
North 40 degrees 16 minutes 07 seconds East, 54.83 feet to a point in the south line of a called 40.212 acre tract of land described in a General Warranty Deed to Thomas E. Shields and Linne H. Shields, as recorded in Volume 4697, Page 363, Deed Records Collin County, Texas;

THENCE along the north line of said 284.8510 acre tract of land and along the south line of said 40.212 acre tract of land as follows:

North 25 degrees 07 minutes 03 seconds East, 80.50 feet to a point for corner;  
North 55 degrees 43 minutes 35 seconds East, 133.74 feet to a point for corner;  
South 58 degrees 23 minutes 18 seconds East, 43.90 feet to a point for corner;  
South 53 degrees 42 minutes 36 seconds West, 21.53 feet to a point for corner;  
South 14 degrees 08 minutes 01 seconds East, 63.29 feet to a point for corner;  
North 81 degrees 22 minutes 21 seconds East, 90.11 feet to a point for corner;  
North 57 degrees 06 minutes 24 seconds East, 38.24 feet to a point for corner;  
South 73 degrees 50 minutes 10 seconds East, 41.62 feet to a point for corner;  
North 56 degrees 23 minutes 39 seconds East, 31.88 feet to a point for corner;  
North 17 degrees 06 minutes 19 seconds East, 51.36 feet to a point for corner;



South 58 degrees 31 minutes 08 seconds East, 41.35 feet to a point for corner;  
North 85 degrees 04 minutes 33 seconds East, 26.92 feet to a point for corner;  
North 45 degrees 11 minutes 27 seconds East, 42.44 feet to a point for corner;  
North 09 degrees 56 minutes 10 seconds East, 33.25 feet to a point for corner;  
North 64 degrees 20 minutes 36 seconds East, 56.20 feet to a point for corner;  
North 48 degrees 16 minutes 51 seconds East, 78.69 feet to a point for corner;  
South 88 degrees 18 minutes 52 seconds East, 26.07 feet to a point for corner;  
South 31 degrees 10 minutes 05 seconds East, 83.83 feet to a point for corner;  
South 43 degrees 44 minutes 08 seconds East, 33.04 feet to a one-half inch iron rod found at the northeast corner of said 284.8510 acre tract of land, said point being the southeast corner of said 40.212 acre tract of land and said point being in the west line of a called 18.77 acre tract of land described in a Warranty Deed with Vendor's Lien to Edward A. Town and Sharon Gunn-Town, as recorded in Volume 4007, Page 1224, Deed Records Collin County, Texas;

THENCE South 00 degrees 29 minutes 48 seconds East, 186.06 feet along the east line of said 284.8510 acre tract of land to a one-half inch iron rod found at the southwest corner of said corner of said 18.77 acre tract of land, said point being the northwest corner of a called 78.06 acre tract of land described in a Contract of Sale and Purchase to Benjamin F. Giles, Jr., as recorded in Volume 1250, Page 684, Deed Records Collin County, Texas;

THENCE along the east line of said 284.8510 acre tract of land and along the west line of said 78.06 acre tract of land as follows:

South 20 degrees 09 minutes 53 seconds West, 236.55 feet to a point for corner;  
South 32 degrees 39 minutes 53 seconds West, 322.00 feet to a point for corner;  
South 00 degrees 54 minutes 53 seconds West, 967.00 feet to a point for corner;  
South 10 degrees 50 minutes 07 seconds East, 524.00 feet to a point for corner;  
South 80 degrees 20 minutes 07 seconds East, 224.50 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;  
South 00 degrees 03 minutes 12 seconds East, 344.98 feet to a one-half inch iron rod found at the southwest corner of said 78.06 acre tract of land, said point being at the northwest corner of said 45.517 acre tract of land and said point being at the northwest corner of that called 10.151 acre tract of land described in deed to Juan F. Saldivar and Tisha Louise Saldivar recorded in County Clerk's Document Number 20180808000993700, Real Property Records Collin County, Texas;

THENCE along the east line of said 284.8510 acre tract of land and along the west line of said 45.517 acre tract of land as follows:

South 01 degrees 33 minutes 53 seconds West, 876.99 feet to a one-half inch iron rod with yellow cap stamped "5686" found for corner;  
South 89 degrees 31 minutes 59 seconds West, 54.37 feet to a wood fence corner post found for corner;  
South 03 degrees 01 minutes 40 seconds West, 880.14 feet to the POINT OF BEGINNING and containing 12,403,363 square feet or 284.742 acres of land.